

EXHIBIT A

From: Shen, Andrew C.
Sent: Monday, January 8, 2024 5:13 PM
To: Haefele, Robert; Carter, Sean; Kry, Robert
Cc: Flowers, Jodi; Tarbutton, Joseph; Bruce Strong; Goldman, Jerry; Baumeister, Michael; Maloney, III, Andrew; Megan Benett; Steven R. Pounian; Gavin Simpson; Nitz, Eric; Kellogg, Michael K.; Rapawy, Gregory G.; Quirk, Michael; Bobbitt, Ebony; Rivers, Tammy; Capone, Thea; jog@speiserkrause.com
Subject: RE: [EXTERNAL] Re: In re. 9/11

Robert –

Thank you for the reply. We will inform the Court that Plaintiffs consent to the requested extension for Saudi Arabia's reply. With respect to the exchange of proposed redactions, we will present our position to the Court. Plaintiffs can respond in a separate letter.

Please let us know when Plaintiffs intend to so submit their corrected filings. We have no objection to Plaintiffs filing them in the same manner that the opposition was originally filed.

Regards,

Andy

Andrew C. Shen
Kellogg, Hansen, Todd, Figel & Frederick P.L.L.C.
1615 M Street, N.W.
Suite 400
Washington, D.C. 20036
Direct: (202) 326-7963
Fax: (202) 326-7999

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From: Haefele, Robert <rhaefele@motleyrice.com>
Sent: Monday, January 8, 2024 4:38 PM
To: Shen, Andrew C. <ashen@kellogghansen.com>; Carter, Sean <SCarter1@cozen.com>; Kry, Robert <rkry@mololamken.com>
Cc: Flowers, Jodi <jflowers@motleyrice.com>; Tarbutton, Joseph <starbutton@cozen.com>; Bruce Strong <Bstrong@andersonkill.com>; Goldman, Jerry <jgoldman@andersonkill.com>; Baumeister, Michael <mbaumeister@baumeisterlaw.com>; Maloney, III, Andrew <amaloney@kreindler.com>; Megan Benett <Mbenett@kreindler.com>; Steven R. Pounian <spounian@kreindler.com>; Gavin Simpson <Gsimpson@kreindler.com>; Nitz, Eric <enitz@mololamken.com>; Kellogg, Michael K. <mkellogg@kellogghansen.com>; Rapawy, Gregory G. <grapawy@kellogghansen.com>; Quirk, Michael <mquirk@motleyrice.com>; Bobbitt, Ebony <ebobbitt@motleyrice.com>; Rivers, Tammy <trivers@motleyrice.com>; Capone, Thea <tcapone@baumeisterlaw.com>; jog@speiserkrause.com
Subject: RE: [EXTERNAL] Re: In re. 9/11

Andy/Robert –

The PECs and counsel for *Ashton* will consent to a clean request for a one-month extension that includes both the Saudi Arabia and Dallah replies, without any ancillary argument. In doing so, we understand that Saudi Arabia will extend a similar professional courtesy to Plaintiffs, should Plaintiffs deem it necessary to request additional time for our surreply. Please send us a draft of the letter you propose to submit to the Court, so that we can promptly provide our approval.

Conversely, Plaintiffs oppose Saudi Arabia's request for a delay in the redaction reviews of Plaintiffs' recent filings and exhibits. Plaintiffs currently do not have access to the filings in their own case, responding to a dispositive motion – a situation that must be addressed urgently. When we receive your draft letter to the Court, we will add text reflecting Plaintiffs' position statement on the redactions, which we believe should be completed on a 30-day turnaround, running from Plaintiffs' submission of the errata versions referenced below.

As we previously flagged during email exchanges on December 21, 2023, Plaintiffs have continued to review our December 20, 2023 sealed filings, and in so doing, we have identified errata in the Averment of Facts and Evidence (ECF No. 9488-1), in the content and numbering of Exhibits identified in the Haefele and Simpson Declarations (ECF Nos. 9488 and 9490), and (in a few instances) in the Memoranda of Law (ECF Nos. 9486 and 9484). As previously indicated, we remain committed to making all the necessary corrections to each of the documents at issue as expeditiously as possible.

Plaintiffs intend to write to Judge Netburn today to request the Court's approval to re-file our corrected submissions in the same manner as they were previously filed with the Court (i.e. the Memoranda of Law, Averment, and Attorney Declarations via ECF, and/or the Exhibits on USB-enabled drives). We intend to follow established precedent by serving counsel for Saudi Arabia and Dallah Avco electronically with all of the corrected filings via a Sharefile.

Please let us know by 6 pm today if Saudi Arabia or Dallah Avco has any objection to this request or if there are any questions.

Regards,



Robert Haefele
Attorney at Law

28 Bridgeside Blvd., Mt. Pleasant, SC 29464
o. 843.216.9184

rhaefele@motleyrice.com

From: Shen, Andrew C. <ashen@kelloggghansen.com>

Sent: Monday, January 8, 2024 12:15 PM

To: Carter, Sean <SCarter1@cozen.com>; Kry, Robert <rkry@mololamken.com>

Cc: Flowers, Jodi <jflowers@motleyrice.com>; Haefele, Robert <rhaefele@motleyrice.com>; Tarbutton, J. Scott <starbutton@cozen.com>; Bruce Strong <Bstrong@andersonkill.com>; Jerry S. Goldman <jgoldman@andersonkill.com>; Baumeister, Michael <mbaumeister@baumeisterlaw.com>; Andrew J. Maloney <amaloney@kreindler.com>; Megan Benett <Mbenett@kreindler.com>; Steven R. Pounian <spounian@kreindler.com>; Gavin Simpson <Gsimpson@kreindler.com>; Heyl, C. Ross <rhey1@motleyrice.com>; Nitz, Eric <enitz@mololamken.com>; Kellogg, Michael K. <mkellogg@kelloggghansen.com>; Rapawy, Gregory G.

<grapawy@kellogghansen.com>

Subject: RE: [EXTERNAL] Re: In re. 9/11

CAUTION:EXTERNAL

Counsel:

This afternoon, Saudi Arabia intends to request that the Court grant a one-month extension to the deadline for Saudi Arabia's reply in support of its motion to dismiss. This extension is necessary because Plaintiffs have submitted with their opposition brief a 563-page averment. Although substantial portions of that averment should be stricken because it violates this Court's April 17, 2023 Order, *see* ECF No. 9026, Saudi Arabia must be prepared to submit a response.

Saudi Arabia also intends to request that the Court grant an extension of Saudi Arabia's time to propose redactions for Plaintiffs' filing and exhibits until 30 days after the Court resolves Saudi Arabia's motion to strike or after Saudi Arabia files its reply in support of its motion to dismiss, whichever is later.

Please let us know Plaintiffs' position on these requests by this afternoon.

Regards,

Andy

Andrew C. Shen
Kellogg, Hansen, Todd, Figel & Frederick P.L.L.C.
1615 M Street, N.W.
Suite 400
Washington, D.C. 20036
Direct: (202) 326-7963
Fax: (202) 326-7999

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From: Carter, Sean <SCarter1@cozen.com>

Sent: Thursday, December 28, 2023 2:30 PM

To: Kry, Robert <rkry@mololamken.com>; Shen, Andrew C. <ashen@kellogghansen.com>

Cc: WTC[jflowers@motleyrice.com] <jflowers@motleyrice.com>; Haefele, Robert <rhaefele@motleyrice.com>;

Tarbutton, Joseph <starbutton@cozen.com>; Strong, Bruce <Bstrong@andersonkill.com>; Goldman, Jerry

<jgoldman@andersonkill.com>; Baumeister, Michael <mbaumeister@baumeisterlaw.com>; Maloney, III, Andrew

<amaloney@kreindler.com>; mbenett@kreindler.com; Steven R. Pounian <spounian@kreindler.com>;

gsimpson@kreindler.com; Heyl, C. Ross <rhey@motleyrice.com>; Nitz, Eric <enitz@mololamken.com>; Kellogg, Michael

K. <mkellogg@kellogghansen.com>; Rapawy, Gregory G. <grapawy@kellogghansen.com>

Subject: RE: [EXTERNAL] Re: In re. 9/11

We can use the below. I understand the 855 number should work from overseas.

855 507 4171

Passcode: 215 665 2105



Sean P. Carter

Member | Cozen O'Connor

One Liberty Place, 1650 Market Street Suite 2800 | Philadelphia, PA 19103

P: 215-665-2105 F: 215-701-2105

[Email](#) | [Bio](#) | [LinkedIn](#) | [Map](#) | [cozen.com](#)

From: Kry, Robert <rkry@mololamken.com>

Sent: Wednesday, December 27, 2023 5:54 PM

To: Shen, Andrew C. <ashen@kelloggghansen.com>; Carter, Sean <SCarter1@cozen.com>

Cc: WTC[jflowers@motleyrice.com] <jflowers@motleyrice.com>; Haefele, Robert <rhaefele@motleyrice.com>;

Tarbutton, J. Scott <STarbutton@cozen.com>; Strong, Bruce <Bstrong@andersonkill.com>;

WTC[jgoldman@andersonkill.com] <jgoldman@andersonkill.com>; WTC[mbaumeister@baumeisterlaw.com]

<mbaumeister@baumeisterlaw.com>; WTC[amaloney@kreindler.com] <amaloney@kreindler.com>;

mbenett@kreindler.com; Steven R. Pounian <spounian@kreindler.com>; gsimpson@kreindler.com; Heyl, C. Ross

<rheyl@motleyrice.com>; Nitz, Eric <enitz@mololamken.com>; Kellogg, Michael K. <mkellogg@kelloggghansen.com>;

Rapawy, Gregory G. <grapawy@kelloggghansen.com>

Subject: RE: [EXTERNAL] Re: In re. 9/11

****EXTERNAL SENDER****

Sean,

I will be on the call for Dallah Avco. I am out of the country, so can you please include a dial-in number that works from abroad (i.e. not a 1-800 number).

Thanks,

Robert

Robert K. Kry



600 New Hampshire Ave., NW

Washington, DC 20037

T: (202) 556-2011

M: (202) 631-1067

F: (202) 536-2011

rkry@mololamken.com

www.mololamken.com

From: Shen, Andrew C. <ashen@kelloggghansen.com>

Sent: Wednesday, December 27, 2023 5:52 PM

To: Carter, Sean <SCarter1@cozen.com>

Cc: WTC[jflowers@motleyrice.com] <jflowers@motleyrice.com>; Haefele, Robert <rhaefele@motleyrice.com>;

Tarbutton, Joseph <starbutton@cozen.com>; Strong, Bruce <Bstrong@andersonkill.com>; Goldman, Jerry

<jgoldman@andersonkill.com>; Baumeister, Michael <mbaumeister@baumeisterlaw.com>; Maloney, III, Andrew

<amaloney@kreindler.com>; mbenett@kreindler.com; Steven R. Pounian <spounian@kreindler.com>;

gsimpson@kreindler.com; Heyl, C. Ross <rheyl@motleyrice.com>; Kry, Robert <rkry@mololamken.com>; Nitz, Eric

<enitz@mololamken.com>; Kellogg, Michael K. <mkellogg@kelloggghansen.com>; Rapawy, Gregory G.

<grapawy@kellogghansen.com>

Subject: Re: [EXTERNAL] Re: In re. 9/11

Sean -

That works for us. Can you please send a dial in?

Thanks,

Andy

On Dec 27, 2023, at 3:58 PM, Carter, Sean <SCarter1@cozen.com> wrote:

Andy - Several key people on our side will be on flights tomorrow, but we are available to speak at 10 am on Friday. Let us know if that works.

Sean

On Dec 26, 2023, at 11:04 PM, Shen, Andrew C. <ashen@kellogghansen.com> wrote:

****EXTERNAL SENDER****

ATTACHMENT SUBJECT TO MDL AND FBI PROTECTIVE ORDERS

Counsel -

I write in reference to Plaintiffs' sealed filings on December 20, 2023. Plaintiffs' filings fail to comply with the court's orders, including by (1) purporting to incorporate by reference hundreds of paragraphs of factual assertions from Plaintiffs' Averment into their memorandum of law, contrary to the court's order at ECF No. 9026, at 4; (2) submitting three new fact witness declarations with their opposition, contrary to the court order at ECF No. 6204, at 1, approving Saudi Arabia's proposed deadline for such declarations at ECF No. 6002-1, ¶ 9; and (3) submitting two new expert declarations with their opposition, contrary to the court orders at ECF No. 7117, 7752, and 7787, setting a firm deadline for such reports. Saudi Arabia accordingly intends to move to strike the offending portions of the memorandum of law, which are highlighted in attached Exhibit A; the paragraphs of the Averment that are not properly cited in Plaintiffs' brief, which are listed in attached Exhibit B; Haefele Exhibits 13, 27, and 163; and Simpson Exhibits 10K and 694.

Many people are on vacation this week, and a meet-and-confer discussion on this subject appears certain to be futile. If Plaintiffs are prepared to meet and confer before the end of the week, please let us know what times work and one or more of us will make ourselves available. We are not prepared to delay filing past Friday because the clock is running for our reply.

Regards,

Andrew C. Shen
Kellogg, Hansen, Todd, Figel & Frederick P.L.L.C.
1615 M Street, N.W.
Suite 400
Washington, D.C. 20036
Direct: (202) 326-7963
Fax: (202) 326-7999

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<Exhibit A.pdf>

<Exhibit B.pdf>

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